

APPENDIX V S. 62 (N1)

The following Memo. of conditions imposed in respect of sale by auction of the occupancy-right of Government lands is in accordance with Government Resolutions Nos. 1189, dated 13th February 1886, and 9915, dated 19th October 1906.

Memo. of the conditions of sale of the occupancy-right of the following unoccupied land to be held at

on the	day of	19
<i>vis.</i> :—	Survey No.	
	, area about	Acres,
Gunthas,	Assessment Rs.	in the
village of	Taluka	
and bounded		
on the North by		
on the South by		
on the East by		and
on the West by		

1. The sale shall be subject to confirmation by the Collector, or by some other revenue officer duly authorized to confirm the same.

2. It shall be in the discretion of the Collector or other officer aforesaid, to accept or not to accept, the highest bid.

3. The highest bidder shall have no ground for complaint if the sale be not confirmed, or if there be delay in the confirmation of the sale.

4. The party who is declared, subject to confirmation of the sale as aforesaid, to be the purchaser shall be required to deposit immediately 25 per centum on the amount of his bid, and, in default of such deposit, the occupancy-right shall forthwith again be put up and sold.

5.* The full amount of the purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the auction takes place, or if the said fifteenth day be a Sunday, or other authorized holiday, then before sunset of the first office day after such fifteenth day.

6.* In default of payment within the said period of the full amount of the purchase-money, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government and occupancy-right shall be resold, and the defaulting purchaser shall forfeit all claim to the occupancy-right, or to any part of the sum for which it may be subsequently sold.

7.* If the proceeds of the sale, which is eventually made, be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Collector as an arrear of land revenue.

(*The arrangement of these clauses has been altered in compliance with G. R. No. 6334, dated 20th August 1895.)

8. If the sale is not confirmed, the purchaser shall be entitled to receive back his deposit or his purchase-money, as the case may be.

9. The purchaser shall, previously to entering upon occupation of the land, obtain the permission in writing of the Mamlatdar or Mahalkari under Section 60 of the Land Revenue Code. Such permission will only be accorded on the purchaser's paying local fund cess at the rate of one anna in the Rupee on the amount of the purchase-money, and on his executing an agreement (which should be executed within thirty days of the receipt of intimation by him of the confirmation of the sale) in the form of Appendix B to the rules framed under the Land Revenue Code. If the land is occupied without such permission being first obtained, the occupation will be liable to be treated as unauthorised under Section 61 of the Land Revenue Code.

10. The purchaser will have to pay the assessment of the land and local fund cess thereon commencing with the year.

Provided that, if without his own fault, he does not obtain possession of the land in due time to make use of it that year, he shall not be chargeable with the assessment and local fund cess thereof till the next following year.

11. The sale is subject to the right of Government to the following trees standing in the land which have been specially reserved (namely):—

(Here enter the number and description of trees, to be reserved)

The trees, other than the reserved ones, are sold along with the occupancy-right.

(Where there are toddy and other juice producing trees the following condition should be inserted.)

12. Government reserves to itself the right of prohibiting the extraction of the juice of all cocoanùt, toddy, bherlimad, shindi, or other trees growing in the land, and of permitting any person to extract it on certain conditions. The purchaser must afford all reasonable facilities and conveniences to

any person licensed by, or under the authority of Government to extract the juice from any such tree.

13. The purchaser, his heirs, executors, administrators and approved assigns, may not at any time lease, mortgage, sale or otherwise however encumber the said occupancy or any portion thereof without the previous sanction in writing of the Collector and subject also to the provisions of the Bombay Land Revenue Code, 1879, and of the rules in force thereunder.

(Signed)

Collector (or Mamlatdar or Mahalkari, as the case may be.)

N. B.—1. Clause 13 should be scored out when the occupancy of land is sold on full tenure.

2. When the occupancy is sold on restricted tenure in Thana, the reservation of trees will be in accordance with the rules promulgated with G. R. No. 5033, dated 22nd July 1902.

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